

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**KWON, et al.**

Serial No.: 10/020,344

Filed: December 11, 2001

For: INCREASING HYDROGEN  
ADSORPTION FOR NANOSTRUCTURED  
STORAGE MATERIALS BY MODIFYING  
SP<sup>2</sup> COVALENT BONDS

Group Art Unit: 1754

Examiner: W. Langel

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, David P. Dalke, represent that I am an attorney of record for the above-identified application. NANOMIX, INC. is the owner of 100% interest in the above-identified invention by virtue of assignment from the inventors to COVALENT MATERIALS, INC., which was recorded in the Patent and Trademark Office on March 28, 2003, on Reel 012760, Frame 0385, and by virtue of the subsequent Name Change from COVALENT MATERIALS, INC. to NANOMIX, INC. (hereinafter referred to as "NANOMIX") recorded in the Patent and Trademark Office on July 22, 2004, on Reel 015583, Frame 0601.

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below via the USPTO EFS-Web filing system.

July 9, 2007  
Date of Deposit

Theresa M. Canett  
Name of Person Mailing Paper  
[Signature]  
Signature of Person Mailing Paper

NANOMIX hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration dates of the full statutory terms of U.S. Patent No. 6,672,077, which patent is presently assigned to NANOMIX. Applicants, therefore, request that the rejections be withdrawn. Moreover, NANOMIX hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,672,077, this agreement to run with any patent granted on the above-identified application and to be binding upon NANOMIX, its successor, or assigns.

NANOMIX does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,672,077 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.312(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of their statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is authorized to charge O'Melveny & Myers' Deposit Account No. **50-2862** in the amount of \$65.00 for the requisite fee.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: July 9, 2007

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**34263**

PATENT TRADEMARK OFFICE

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